

### **REMARKS**

Reconsideration of the application, as amended, is respectfully requested.

In claims 1 and 2 the word "edges" has been amended to "surfaces," support for which amendment may be found on page 5 (line 15), page 6 (lines 13-14) and in figures 5 and 6 of the application as filed.

Referring to the objection raised under paragraph 1 of the item "Specification," the Examiner is correct in identifying that the intended citation was U.S. 4,418,085. The specification has been amended accordingly.

Referring to the objection raised under paragraph 2 of the item "Specification," "(1)" has been inserted after the phrase "This sheet" at page 4 (line 33); and "(10)" has been inserted after the word "hardened" at page 5 (line 32).

With respect to the claim rejections under 35 USC §102, SirRedhawk does not directly and unambiguously disclose a frozen pasta product according to claim 1. The passage referring to the structure of a lasagne is presumably that found on page 2 (lines 10-13) wherein it is stated "put together several strips of the pasta so that they cover the bottom and hang over the sides of the baking dish. Later they will fold over the top to seal in the fillings." First, it is noted that this passage does not refer to a frozen pasta product. Second, there is no disclosure of a rectangular pasta sheet sealed along two opposing surfaces. The phrase "seal in the fillings" is probably meant to indicate trapping the filings within the "baking dish" and clearly does not disclose sealing (i.e., bonding) opposing pasta surfaces. Thus claim 1 is distinguished over SirRedhawk in claiming a frozen pasta product wherein at least two of the layers are provided by a rectangular pasta sheet extending around the remaining layers and sealed along two opposing surfaces. Therefore the subject matter of claims 1 and 2 are not anticipated by SirRedhawk and are novel over SirRedhawk.

Nilsson does not directly and unambiguously disclose a pasta product according to claim 1, or claim 6 which depends therefrom. Nilsson discloses pasta products composed of disconnected layers of pasta (see column 4, lines 33-35) and column 5 (lines 20-37). The Office points to no teaching in Nilsson of a pasta product wherein at least two of the layers are provided by a rectangular pasta sheet extending around the remaining layers and sealed along two opposing surfaces. Therefore, it is requested that the rejection of claim 6 over Nilsson be withdrawn.

With respect to the claim rejections under 35 USC §103, SirRedhawk simply does not disclose a pasta product wherein at least two of the layers are provided by a rectangular pasta sheet extending around the remaining layers and sealed along two opposing surfaces. Thus it is submitted that the subject matter of claim 1 would not have been obvious to a person of ordinary skill in the art in view of SirRedhawk. Moreover, the objective problem facing the skilled person in the art is the provision of a pasta product which allows for the convenient preparation of small frozen lasagnes which maintain their integrity during re-heating to provide a plurality of visibly layered lasagne portions on serving. In fact, SirRedhawk addressed the problem of merely providing a traditional lasagne with a vegetable filling (see page 1, first two paragraphs).

Even if the teachings in SirRedhawk and Nilsson were combined, the skilled person would still not arrive at an embodiment falling within the ambit of claim 1 because neither SirRedhawk nor Nilsson disclose a pasta product wherein at least two of the layers are provided by a rectangular pasta sheet extending around the remaining layers and sealed along two opposing surfaces. Thus we submit that the subject matter of claim 1 would not have been obvious to a person of ordinary skill in the art in view of the combination of SirRedhawk and Nilsson.

Even if all the teachings in SirRedhawk and Mattson were combined, the skilled person would still not arrive at an embodiment falling within the ambit of claim 1 because the Office points to no teaching in SirRedhawk or Mattson of a pasta product wherein at least two of the layers are

provided by a rectangular pasta sheet extending around the remaining layers and sealed along two opposing surfaces.

In view of the foregoing, it is respectfully requested that the application, as amended, be allowed.

Respectfully submitted,



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Gerard J. McGowan, Jr.  
Attorney for Applicant(s)  
Reg. No. 29,412

GJM/pod  
(201) 840-2297